IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1271 OF 2007
IN
C.R.NO.3 OF 2005

Shri.Vijay Narayan Bharati. ...Applicant.
Versus
The State of Maharashtra ...Respondent.

....
Mr.Mangesh Arote, Adv. for the Applicant.
Mr.Rajesh More, APP, for the State.
....

CORAM : SMT.V.K.TAHILRAMANI,J.
DATED : 26th April, 2007.

P.C.:

1. Heard the learned Advocate for the Applicant and the learned APP for the State.

2. The applicant is seeking bail in C.R.No.3 of 2005 of EOW, Unit-I, GB, CB, CID, Mumbai. The said case is under Sections 420, 471, 467 of IPC.

3. The FIR has been lodged by the Manager of the Central Bank of India against the present applicant and some other accused persons. It is the case of the complainant that the accused persons conspired with each other and in furtherance of their common intention prepared forged documents / agreement for sale and produced these false and forged documents in the Bank and obtained loan of Rs.60 lacs from the Bank.

4. It is the case of the prosecution that the present applicant benefited in the sum of Rs.1,60,000/- out of the said amount. The learned Advocate for the applicant, on instructions, states that the applicant is willing to deposit the said amount of Rs.1,60,000/- before the concerned Investigating. If the applicant deposits the amount of Rs.1,60,000/- in my view, his further custody would not be necessary.

5. In this view of the matter, I am inclined to grant bail to the applicant.

6. The applicant - Vijay Narayan Bharati to be released on bail in the sum of Rs.20,000/- with one or two sureties to make up the said amount. The applicant shall report to the office of EOW, Unit-I, GB, CB, CID, Mumbai, twice in week till 30th June, 2007; and thereafter once in a week till conclusion of the trial.

7. It is clarified that the said amount of Rs.1,60,000/- is to be deposited by the applicant with the concerned Investigating Officer by 30th June, 2007. If the said amount is not deposited by 30th June, 2007, this order granting bail shall

automatically stand cancelled and the applicant can be taken into custody.

8. It is made clear that the deposit of amount of Rs.1,60,000/- by the applicant shall not be construed as an admission of his guilt or his involvement in the said case in any manner. At the end of the trial, the learned Sessions Judge shall pass appropriate orders in respect of the amount of Rs.1,60,000/- deposited by the applicant with the Investigating Officer.

9. Application is disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)